

REMARKS

The Office Action and the cited reference have been carefully studied. Claims 1-14, 18-38 remain pending in the present application. Applicants respectfully submit that the claims define patentable subject matter, and favorable reconsideration is respectfully requested.

Applicants note from the Office Action Summary at paragraph 10 that the Examiner does not object to the drawing, and it is therefore understood that the drawings are accepted by the U.S.P.T.O.

Applicants also note with appreciation the Examiner's acknowledgement from the Office Action Summary at paragraph 12 that certified copies of all priority documents have been received by the U.S.P.T.O.

In response to the objection of claim 1 based on an informality, Applicants have amended the language "adapted to to adjusted" [sic] in claim 1 as "configured to be adjusted". The objected informality has therefore been eliminated from claim 1, and it follows that the objection has been overcome. Withdrawal of this objection is thus in order and respectfully requested.

In response to the objection of claims 14, 18, 22, 28, 31, 36 and 37 based on informalities, Applicants have deleted the language "characterized in that it comprises" or "characterized in that it further comprises" in these claims and amended the language as "further comprising". The claims have been amended to remove all uses of "it" and therefore clarify the subject matter being claimed. The objected informalities in these claims have therefore been eliminated, and it follows that the objection has been overcome. Other amendments to the form of the claims have been made to place the claims in proper idiomatic English and in conformance

with standard U.S. practice. Applicants respectfully submit that the amendments are purely ones of form and do not, nor are they intended to, narrow the scope of the claims. Withdrawal of this objection is thus in order and respectfully requested.

Claims 1-4, 6-7, 13, 18, 21, 35, and 38 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,951,644 (“Bon”). This rejection is respectfully traversed.

Bon does not disclose a throttling means “configured to be adjusted for varying the effective section of the exhaust duct such that effective section determined by the throttling means remains the same during a whole launch,” as recited in claim 1 of the present application.

Bon discloses pneumatic launcher to discharge compressed gas from a compressed gas reservoir into a barrel 12. As shown in Figure 2 of Bon, the pneumatic launcher includes an automatic air flow throttling valve 90. The throttling valve 90 includes a hollow body 92 with a plurality of ports 98 communicating between the cavity 60 and the space 110. Inside the body 92 there is provided a throttle valve member 100, which is forced against the inner wall of the body 92 by a spring 106, and the throttle valve member 100 has a plurality of ports 112 in registration with ports 98 (Bon, column 2, line 63 – column 3, line 9).

Bon clearly discloses in column 3, lines 36-45 that during a launch, compressed air enters the cavity 60 and reaches the space 110 through the ports 98 and 112. The rapid raise of pressure in the space 110 causes the throttle valve member 100 to be moved rearwardly against the action of spring 106, thereby moving the ports 112 out of full registry with the ports 98 and throttling the flow of air. Therefore, the effective section for the air flow of Bon is clearly

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adjusted corresponding to the air pressure, and it does not remain the same during a launch, as recited in claim 1 of the present application.

For at least these reasons, Applicants respectfully submit that Bon does not disclose each and every element and limitation in claim 1. Therefore, claim 1 is patentable over Bon, and claims 2-4, 6-7, 13, 18, 21, 35, and 38 are also patentable over Bon by virtue of their dependency from claim 1 and inclusion of the features recited therein.

In view of the above amendment and remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections of record. Applicants submit that the application is in condition for allowance and early notice to this effect is most earnestly solicited.

If the Examiner has any questions, he is invited to contact the undersigned at 202-628-5197.

Respectfully submitted,

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